

Brief Reflections

Upon the Inconveniencies attending Wilful and Malitious

Forgery and Perjury,

With some REASONS why such Crimes
Ought to be made FELONY.

By a Truly Loyal Subject, and a Sincere Lover of his KING, Country,
And the LAWS of this Realm.

THese two pernicious and inseperable Companions of Forgery and Perjury, like poisonous Vermin, have often sucked out, and destroyed the very juyce and beauty of many flourishing flowers; nor hath the Royal Oake escaped being compassed about with the malignant Ivie of those horrid Crimes, even to that dangerous degree of Rebels, gaining a Point almost fit for laying their fatal Axes to the root of that Sacred Tree.

To discourse of the late grand Impostors of State, or their flagitious practices, would be a task too tedious for me, or my present purpose; and only fit for an Age more stupid, and less capable of observation, and rational Sentiments than this.

Their unparallel'd Villanies, are now become too apparent to every discerning eye, either to be questioned or doubted; for 'tis most certain, that the extravagant pranks and projects of those Monsters, still beat very convincingly intense, upon the Nerves and intellectual parts of all truly Loyal and unprejudiced Subjects, who now perhaps cannot but reckon it a very great blemish to the English Air, that ever such Miscreants should have the happiness of breathing in it.

And if there be any reason to find fault with the imperfection or deficiency of the Statute-Laws of this Realm in Criminal Cases, (which undoubtedly are otherwise the best and most rational Laws in the world) 'tis principally because there are none yet severe enough against the pernicious and dangerous Crimes of wilful Forgery and Perjury.

For if a Thief steal a Horse, or a Mare, or but the value of two or three shillings, 'tis Felony, and by the Law he ought to die for that Offence; but if a pack of Rogues joyn together, and by Forgery and Perjury ruine men in their Reputations & Estates, they are usually only exalted to stand in the Pillory, or Fined, or Imprison'd for't: which minute punishment, seldom produces any other effect than barely to make the Criminal the more incorrigible, and proves many times but as Sawce to craving Stomachs, preparing them the better to devour and consume the next dainties they can meet with, never scrupling to make a prey of mens Lives and Fortunes, though the ungodly and illegal disinheritance of Kings, the unhinging of Monarchy, and the utter devastation and destruction of Kingdoms, Societies, and Families, should inevitably fall into the bargain, and therefore if an Argument drawn *ab inconvenienti* (which is generally held to be very forcible) ought to have any power in any Case, certainly it ought to have so in this, to make wilful and malitious Forgery and Perjury Felony:

ny: For 'tis almost impossible almost to prove (suppose what you will) that greater inconveniencies will attend the making of such Crimes Felony, than have attended, or may be feared will attend the not making of them so.

That many particular persons have severely smarted in their Reputations and Estates, as well as the Kingdom in general, by Forgery and Perjury, 'tis presumed will not be denied by any judicious, observing, and thoughtful man. Nor do I presume any man so totally unacquainted with the Affairs of this World, but either he knows or hath heard what havock and mischief those two abominable and destructive sins have made amongst the Widdows and Orphans of this Age.

However, that you may be furnished with some few fresh instances of that kind (for to give you all, as 'tis impossible, so 'twere fitter for a large Volume than the narrow compass of a sheet of Paper) I am obliged to assure you (particular instances of matter of Fact, being the most cogent and prevailing Arguments) that two persons of good Quality and Reputation, have been lately damnified and prejudiced in their Estates, to the value of at least 3000*l*. in different Cases, by the Male-contrivance and false Oaths of common Hackney-Swearers and Knights of the Post, who with their Confederates and Abettors (after many years prosecution (*in forma pauperis*) of the Persons and Executors whom they have so grossly abused, and oppressed) are at last found out and detected; and now it appears, that the Deeds and Instruments in writing by them set up (and whereon Verdicts and Judgments at Law for great sums of money were obtained) were actually forged, several months after the Deaths of the Persons and Testators, whose Deeds they were pretended to be; though so cunningly and artificially contrived, as to bear date many years before their decease. And one of the principal Forgers (being served with process to appear and answer an Information of Forgery and Perjury lately exhibited against him) soon after, and before Justice could come to bestow upon him his due reward, died: but one of his Champions, and Brother-Confederates in that horrid Iniquity, having survived him, is now under prosecution for the same Crimes, which undoubtedly will be so fully and plainly proved, that 'twill be almost impossible any thing should be wanting to do him right, save onely severer Laws for his punishment; for such hath been his confidence (as though unexpressible impudence were one of the least ingredients in the composition of his Rogueries) that he hath confessed that he hath been Hired and Suborned to swear false for money, even since the Information exhibited against him) hath boldly affirm'd, that he neither regarded nor valued a Pillory, declaring that better men than himself were daily brought thither, and that 'twas but to have a little patience for an hour or two, and the whole business would soon receive a determination, and be over (with as much ease and little trouble) as a nine days wonder; which Language, without question, is very agreeable to the rest of his wicked Crew: So that 'tis plain the pettiness of the punishment usually inflicted upon such Offenders, makes them persist the more obstinately in the practise of their black and hellish crimes: And therefore 'tis conceived the most probable way to abate their confidence and assuage their courage, is, to make and execute more stricter Laws against them, than yet there are in being.

Besides, 'tis credibly reported, that this famous Artist (for all sorts of notorious contrivances and mischiefs) hath as great reputation for his Wit and Cunning in Forgery, amongst all the Rogues and Knights of the Post about this Town, as ever any Criminal had that was hanged at Tyburn, boasting that he could so exactly counterfeit the hand-writing of

mens Names, that 'twas impossible to find out the cheat, unless the persons whose Names were so counterfeited (he usually dealing with the Names of dead men) should arise out of their graves and swear that 'twas was none of their own hand-writing. And that he formerly got by his subtil tricks, at least a 100*l.* *per Annum* from the Catholics; it being his practice (about six or seven years since) to forge Writs against several Catholics of good Quality, privately pretending that the same Writs regularly issued against them upon penal Statutes out of the Courts of Westminster-Hall, and thereby affrighted them (he being then a common Informer) into secret Agreements, to pay him several sums of money; whereas in truth there were never any such Writs or Process granted out against those persons from whom he thus vexatiously extorted Money.

But to resume, and give you one or two instances more, for all the rest, of the great inconveniences attending the faintness and deficiency of our Statute Laws (in point of punishment) against wilful and malicious Forgery and Perjury.

If any person lie in wait to wound or deface another, or if a High-wayman rob you (though onely of your traveling Coyn) he becomes thereby guilty of Felony, and according to Statute Law, he ought to be hang'd for it; besides you have your remedy by the Statute (in the last case made and provided) to recover of the Hundred wherein you were Robbed, the vallue of all that was so taken from you: And this is concluded (as indeed it is) to be both reasonable and just, but if a Knight of the Post (by premeditated and malicious Forgery and Perjury) ruin and undo honest men, and their Families, by taking away and destroying both of their Lives and Fortunes at once (as too too often by sad and lamentable experience it hath happened) yet in this case (by the Statute Laws, as now they are) there is no provision made, either to punish the malicious perjured person with death, as a just recompence and satisfaction to the Law of God, for shedding innocent blood, or to subject his Estate (if he have any) to make restitution to the injured persons Family, for the loss and ruin of his; which (*prima facie*, besides the ill consequences of it) seems to be a very severe and hard case; and wherein, in this case doth that just proportion lie (which ought to be) between the Punishment and the Crime? Or how is the punishment proportionable to the Offences, in the cases of wilful Forgery and Perjury? when after a man shall be thereby utterly ruined and undone, he shall have no other remedy or satisfaction left, but (at the rate of great trouble and expence) the empty shouts and laughter of the Mobile and Rabble, with (as may be) the unwarrantable discharge of a few vollies of rotten Oranges and Eggs to the profligate and incorrigible Villain, that stands in the Pillory.

'Tis therefore (and for other weighty reasons, too tedious here to be expressed) high time (with submission to better judgements) both with respect to His Majesties Interest, and the safety and security of His Kingdoms and People, that such inconveniences should be remedied and redressed, and stricter Laws made (with greater punishments, than yet there are) against such Offenders: for if it be contrary to principles of Justice and Reason, that such Transgressors should be exempt from punishments, adequate to their Crimes, then 'tis both reasonable and just that a Law should be made, to punish them according to their demerits: for *Ratio est anima Legis*.

And in regard the grand Council of this Nation (by His Majesties special Grace, and Favour) are now Assembled in Parliament; 'tis but too offer-

ed to the serious Consideration of His most Sacred Majesty, and His great Council assembled, that such a Statute Law may be made this Session of Parliament, against wilful Forgery and Perjury, as may not only tend to destroy that wicked Herd of perjured Satanists in this Kingdom, but to relieve and discharge those that have been oppressed by their malicious contrivances, from the Judgments at Law obtained thereby; and curb their unbridled insolencies for time to come, with Enacting that such Crimes shall be made Felony, which certainly (notwithstanding what can be rationally objected against it. (after serious consultation, and advising with the learned in the Law concerning the due qualifying, limiting, and well penning of such an Act) will not at all (as some fancy) discourage honest and good men from a cheerful Swearing the Truth in Courts of Law and Justice, for the determination of Controversies (their own interest, and that most excellent rule of doing for others, as they would that they should do for them, indispensibly requiring it) but on the contrary, for the future will certainly fright and deter all Knights of the Post, and hackney Swearers, from offering any more to attempt the ruine either of Kings, Kingdoms, Societies or Families, by such their most destructive Practices and Diabolical Crimes.

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LONDON: Printed for Mark Pardoe over against M
Bedford-House in the Strand. 1685.

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